

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ANTHONY MENDES
And DORIS MENDES,

Plaintiffs,

v.

CENDANT MORTGAGE,

Defendant.

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) Civil Action No. 05CV11765DPW
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JOINT STATUS REPORT

Pursuant to the Court's October 20, 2005, Scheduling Order, as amended, the parties to this action hereby file this Status Report in advance of the Scheduling/Status Conference scheduled for November 9, 2006, at 2:30 p.m.

The parties have completed written discovery and taken depositions. The parties have engaged in settlement discussions but have reached an impasse.

Currently pending before the Court is Defendant's Motion for Summary Judgment. Defendant intends to bring a bring (1) a Motion In Limine to Preclude Plaintiffs' experts from testifying; and (2) a Motion to Strike the hearsay in Plaintiffs' opposition to Defendant's Summary Judgment Motion. Plaintiffs also intend to bring a Motion In Limine, to Preclude Defendants' experts from testifying.

The parties are generally available for a pretrial conference and trial after February 1, 2007.

Respectfully Submitted,

Anthony Mendes and Doris Mendes
By their Attorney,

PHH Mortgage Corporation, f/k/a/
Cedant Mortgage
By Its Attorneys,

/s/ Christopher J. Trombetta
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Dated: November 2, 2006

CERTIFICATE OF SERVICE

I, Andrew Keith Goldstein, hereby certify that on November 2, 2006, a copy of the attached **Joint Status Report** filed through the ECF system will be sent electronically to the following counsel as identified on the Notice of Electronic Filing: Christopher J. Trombetta, Law Office of Christopher J. Trombetta, 310 North Main Street, Mansfield, MA 02048.

/s/ Andrew Keith Goldstein
Andrew Keith Goldstein